

670 Doane Avenue,  
Claremont, Calif.,  
August 4, 1958

Stephen I. Zetterberg,  
Carter, Young, Zetterberg, and Henrie, Attorneys-at-Law,  
California Bank Building,  
Pomona, California

Dear Steve:

Some of my extra-curricular activities in connection with my study of Mexican Nationals have placed me in a position which is, shall we say, delicate and difficult. So much so that I feel I must turn to someone for advice. I tried to get you Friday, but learned you were out of town. I talked with Dick Young at some length about the problem that is on my mind, and am at this moment following his suggestion. He suggested that I gather together the several documents bearing on the problem, attach an explanation of the situation, and have these waiting for you when you return from your vacation, so that it will be possible to move as swiftly as possible in whatever direction you think indicated. I am taking the liberty of leaving a set of materials at both your home and your office, in the event you stop in at one place and not the other before leaving the area again.

I shall attempt to recount the background of the matter as briefly as possible without sacrificing relevant details.

As you are aware, I have for some time felt in a rather awkward position conducting a piece of scholarly research concerning a government program with which I was not in basic sympathy. I have tried to solve the ambivalence of my position by drawing an unbreachable line between my work for the University, and my activities outside of working hours -- e.g., showing slides to you and your wife, and other friends. On April 30, the Farm Labor Secretary of the American Friends Service Committee, one Bard McAllister, wrote to me that the AFSC was holding a meeting in Los Alton, California, on May 21, 1958, "to attempt to arrive at some policy concerning Public Law 78" (i.e., the bracero program). I replied, on May 7, that I would be unable to attend the meeting in person, but would prepare a statement "partaking of opinion and of conscience" if he wished. He replied that such a statement would be useful. (The entire chronology of this and subsequent developments is appended as Attachment 1.) Having attended some prior meetings of the AFSC on this subject, and having seen that the point of view of employers of braceros was better represented than any other, I took it upon myself to prepare a memorandum sufficiently strong to result in greater spread, a wider choice of alternative views, than the AFSC had had the opportunity to consider before. On May 21, I completed my memo and sent it to Mr. McAllister. (Appended as Attachment 2.)



On May 23, I received a letter from Mr. McAllister, stating, "With your permission, I would like to share it widely within the circle of the AFSC and some of my peripheral contacts. If you have about 100 copies available, I could use them; if not, may I have your permission to duplicate it?" On May 29, I replied to Mr. McAllister, saying that he could use the statement only if he did so without using my name. On June 9, I happened to run into Mr. McAllister on a business trip to Washington, D.C. He reiterated his interest in my memo, and I reiterated my insistence on anonymity. He said, "Didn't the San Francisco office ever get in touch with you?" With sinking heart, I replied, "No." He said, "Well, I'm afraid things may have progressed too far already." I said to him that I would expect him to get in touch with his San Francisco office at once, to set the matter right. Apparently he did not do so, and even if he had, it may already have been too late.

On June 28, Mr. McAllister wrote to me that my letter of May 29 had reached him in the same mail as a mimeographed copy of my memo sent out by the AFSC office in San Francisco. Said he, "Evidently I did not make it emphatic enough when I asked Frank Quinn to hold up the reproduction of your statement until we had your approval. Your name is on the statement and I just hope it will not have any detrimental effect upon your study. I am exceedingly sorry that it happened this way, and if there is anything we can do to remedy the situation, we will certainly do all we can." Mr. McAllister enclosed the cover letter which the AFSC had sent out with its mass mailing of my memo, but he did not enclose a copy of the memo itself. To this day, I have no idea of what form the memo was circulated in.

On July 3, I wrote to Mr. Quinn of the AFSC, asking for an explanation of his unilateral action, and asking for a list of the persons to whom copies of the memo had been sent. On July 11, not having heard from Mr. Quinn, or any of the persons who may have been on his mailing list, I left for a trip to the bracero recruiting station at Ensalme, Mexico, in connection with my research work. I thought at this point that perhaps my fears were unjustified, and that the memo had not fallen into the hands of persons who would be happy to use it to destroy me professionally. I nursed this hope until my return from Mexico on July 21, when the following happened in rapid order:

I learned that in my absence there had been two anonymous telephone calls inquiring about my whereabouts, my activities, and so forth. One stranger had come to the house, seeking this sort of thing, but had refused to identify himself. There was waiting for me a letter from Mr. Quinn, under date of July 14, in which he pointedly declined to assume any responsibility for his action, and in which he enclosed a list of persons not at the Los Altos meeting to whom he had sent copies of the memo. There were 82 in all, and they included the Chairman of the Labor Committee of the California Farm Bureau Federation, a Supervisor of the State Labor Placement Service, a Professor of Agricultural Economics at the University of California, the Consul General of Japan, and a number of individual growers.

Also waiting for me was a letter from H. J. Stewart, Director, State Department of Employment. Along with some unflattering remarks about my ethics, he demanded substantiation of what he interpreted as remarks about the "culpability" of his department. (See Attachment 3)



The following day, July 22, I learned of an interesting development that had taken place in Empalme, Mexico, the day after I had left. The interviewer for my research project had remained there, with the expectation that he would continue to interview prospective braceros for another five days. On July 17, however, my interviewer had been ejected from the recruiting station, his interviewing materials taken from him, and told that he could do no further interviewing. On the evening of the 22nd, my interviewer telephoned me from Imperial Valley, where he makes his home and does most of his work for me. He had been summoned to the office of the El Centro bracero hiring center, and subjected to a long period of interrogation by the manager regarding my AFSC memo. He was told that he could do no further interviewing until the U.S. Department of Labor (which operates the Empalme and El Centro centers) had investigated me. (See Attachment 3A)

By this time, I was truly alarmed, so I telephoned my immediate superior at the University of California, Berkeley. He indicated that a number of officials of the University were concerned, and felt that an attempt would probably be made by certain members of the Legislature to embarrass the University with my statement the next time University officials appeared before the Appropriations Committee and asked for funds. (The University's name does not appear anywhere in my memo.) My superior, Dr. Edward Rogers, felt that all I could do was submit to him a detailed explanation of the situation and how I got into it, and try to ride out the storm. On July 23, I sent him such an explanation, together with a fully annotated copy of the fateful memo.

On July 24, I replied to Mr. Stewart, Director of the State Department of Employment, in the most mollifying terms I could summon. (A carbon copy of this letter is appended as Attachment 4.) Also on July 24, my wife received a third anonymous telephone call, seeking information about me.

On the morning of July 25, I attempted to head off further trouble by writing to the regional director of the U.S. Department of Labor in San Francisco, and explaining the entire unhappy situation. On the afternoon of July 25, what should I receive but a letter from the deputy regional director of the U.S. Department of Labor in San Francisco, demanding support of my "charges" in very much the same terms as those employed in Mr. Stewart's letter. (Copy attached as Attachment 5.)

On July 26, I replied to Mr. Huxley, the deputy regional director. (Copy attached as Attachment 6.) At noon, when I went home for lunch, I got a telephone call from W.O. Crittenden, of the Los Angeles office of the U.S. Department of Labor, asking me to come into his office to explain the things I had said in my memorandum. I declined to do so, but invited Mr. Crittenden to come to my home in Claremont for conversation. An appointment was made for the following Tuesday, July 27.

By this time, it was apparent to me that the memo had been circulated far and wide beyond the mailing list of the AFSC. As soon as I got back to my office, therefore, I wrote to Robert Goodwin, the head of the whole bracero business in the Department of Labor in Washington, and asked for an accounting of how many copies of my statement his organization had distributed, to whom, and in what form. (Copy attached as Attachment 7.)



On this same day, I also wrote to Mr. Walter Francis, manager of the bracero center at El Centro, explaining the situation in the most tactful manner I could, with the implication that I hoped the harrassment of my interviewer would stop. I might note, parenthetically, that it has now been ten days or more since I wrote Messrs. Francis, Huxley, Brockway, and Goodwin of the Department of Labor, and I have not had a reply from any of them.

On Monday, July 29, I had a telephone call from Mr. Crittenden cancelling our discussion of the following evening, and declining to set a future appointment. Also on July 29, I had a reply from Mr. Rogers of the University of California, stating that my explanation had been received but that he "cannot endorse my judgment on this matter."

On July 31, I received another letter from Mr. Tagaban, my interviewer in the Imperial Valley. Harrassments are being stepped up. Attempts have been made to get Mr. Tagaban to resign his position with my project, and when he refused, dark hints were dropped that "he might soon have a new boss." Mr. Tagaban also reported that Mr. Francis and the Assistant Manager of the El Centro bracero center have been investigating me by interrogating everyone at the center who has ever known me. (see Attachment 7A)

On August 1, I was finally moved to seek help, because I received a letter from H.W. Stewart, couched in the most insulting and truculent tones, and demanding "specific information" or else suffer the consequences. (Stewart's second letter attached as Attachment 8.) It seemed to me that the consequences he probably had in mind were the termination of my employment by the University, and the smearing of the report which I hope to issue on the basis of my research findings. A man in as high a position as Mr. Stewart no doubt has a lot of influence at the University of California, and could probably make his implied threats stick. I don't mind saying that I am frightened, for there are five mouths to feed in my household, and I have no prospects of other employment if I'm fired by the University.

I have drafted a reply to Mr. Stewart (see Attachment 9), but I have no intention of sending it, for I no longer trust myself to deal with the man. I am afraid that he is vindictive enough to use anything that I might say against me. It was Dick Young's thought that any further correspondence with Mr. Stewart and the Department of Labor people mentioned above should come from a third party, preferably an attorney, with whom these amiable gentlemen would presumably deal on a more reasonable basis than they are willing to deal with me.

May I offer the following thoughts:

(1) I have no wish to pass all the blame for this mess onto the American Friends Service Committee. Although they acted in an astonishingly irresponsible manner, their intentions were good. They were certainly not trying to hurt me or my research project.

(2) Neither do I think I should duck all discussion of my memorandum on the grounds it was prepared in confidence.

(3) I believe I have every right to demand an explanation of how my statement was circulated throughout the length and breadth of the State Department of Employment and U.S. Department of Labor. None of the gentlemen from whom I have received poison pen letters, and none of the gentlemen who have



been hounding my interviewer, were on the AFSC mailing list.

(4) I believe that I also have every right to demand to see the version of my memo now being circulated by parties unknown to me. I particularly have the right to see their version before I make any reply to inquiries based upon it.

(5) I am prepared to respond to questions which are sincerely intended to lead to investigation of the conditions I mentioned in my memorandum. I do not care for the questions which have been put to me by Stewart and Huxley for the following reasons, among others:

(a) They put all the burden on me, to exculpate myself. They assume I am guilty of lying, until I prove myself innocent. I find Huxley's demand that I come to San Francisco to clear myself particularly outrageous.

(b) I do not believe that either the State Department of Employment or U.S. Department of Labor is interested in investigating the abuses I mentioned. I believe they are interested in discrediting me, as they have discredited everybody else who has ever dared to criticize the administration of the bracero program. If they intended a legitimate investigation, they could begin with the backlog of scores of documented evasions and scandals which have been brought to their attention in the past. Their only reaction to Dr. Ernesto Galarza's Strangers in Our Fields was to spend about \$5,000 -- not investigating the abuses he cited, but attempting to demonstrate that Dr. Galarza was a revolving liar.

(c) Stewart and Huxley persist in referring to my remarks as "allegations" and "charges." They are neither, and I will not discuss them as though they were. My remarks consisted of simple, straight-forward, statements of things I had seen and heard. I pointed the finger at no one.

(d) I resent being forced to spend so much of my time on matters which, I made very plain in my memorandum, are of minor interest to me, and of minor importance with the larger scheme of the bracero program. For two weeks now, I have had to spend virtually my full time framing my replies to these characters, talking with them on the telephone, worrying about where they were going to hit me next. I have badly neglected the work I would like to be doing. If my critics would like to journey with me on what I consider a worthwhile battleground -- namely, the root assumptions underlying the Mexican National program -- I would feel better about giving up my time. But to do so on a battleground of their own choosing is another matter.

(5) I will give you the full stories on the two points about which Mr. Stewart is so greatly exercised:

(a) On or about March 14, 1958, the Employment Committee of the Claremont Intercultural Council met, and discussed the problem of jobs for Mexican-Americans in the community. I said that young men in the area who wish to pick citrus are assured of a job so long as there is a single Mexican National doing this kind of work, since the law states domestic workers are to be given preference. I volunteered to put this to a test by going to the nearby Farm Placement Offices, dressed in field clothes, and asking for a job. On March 17, I went to the Farm Placement Office at 207 East 8 Street, in Ontario. There was a sign in front saying "Lemon Pickers Wanted." I went in and asked for a job picking lemons, and was told by the woman behind the desk that all the jobs had been filled. I know there were at that time several hundred braceros picking lemons in an Orange and Los Angeles Counties, although I cannot be sure of the exact number since the State Department of Employment will not release that information.



(b) On or about March 27, I was in the Imperial Valley on a business trip. I was parked in the parking lot of the El Centro reception center, sitting in my car, eating lunch. A jalopy carrying four men drove up alongside me. One of the men was a Negro, one an Anglo, two appeared to be Mexican-Americans. I fell into conversation with these men, and they told me the following story: "We left Los Angeles a couple of days ago, looking for farm work. We headed South, because we thought our chances of finding something would be better down here. Every place that had a Farm Labor Office, we would stop and ask for a job. We stopped at five places between L.A. and here. We don't even remember the names of all the towns. It was just everywhere we saw these signs saying, 'For farm labor information, see such and such.' We ran out of money and had to sell our tire tools to buy gas to get this far. Do you know where we can find work? We need a job bad. We saw the sign out in front here and thought maybe we could find something here." It was a reasonable expectation. In front of the reception center is a large sign reading, "United States Department of ~~Interior~~ Farm Labor Reception Center." There is no indication that the only type of farm labor received at this center is from Mexico. I could only tell the four men that 2,000 Mexican Nationals were being assigned to jobs each day at that center at that time, but no domestics. I told them how to find the State Department of Employment office in downtown El Centro, but whatever became of them after leaving me I do not know.

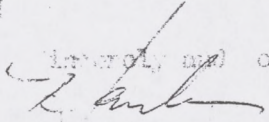
(6) I fear I cannot expect much, if any, backing from the University in the present imbroglio. The University is scared to death of controversy, particularly if it threatens the purse strings, and I hardly need tell you how powerful the growers and friends of the bracero program are in the State legislature.

(7) Besides myself and my family, I have to think of my interviewer, Mr. Tagaban. He is counting on continued employment with me for another six months. He has shown great loyalty to me and the project, and I would be most reluctant to jeopardize his job in any action I might take vis-a-vis the Department of Labor or Department of Employment.

(8) What I would really like, I suppose, would be an apology from Messrs. Stewart and Huxley for their bookishness, and their incursions upon my freedom of expression and freedom of research. I won't press this, however. I'll settle for their calling off the dogs, and allowing me and my employees to continue our studies far until completed -- about six months more. And b that I have no one looking over our shoulders as we work, either....

Would you please do this for me, Dave: let me know just as soon as you possibly can what action you feel is best advised. I feel that either I or someone speaking on my behalf must communicate with Mr. Stewart by the end of this week (August 3), or he is going to wear me out on his maledictions. He is not the patient type. At the very least, please phone me and let me have your ideas. Then, if you have time to "take the case," it would ease my mind greatly. If you would handle a correspondence with Mr. Stewart for me, also, let me know what your normal fee would be for such a case, and I will raise it -- about 10% more, please. Good-bye! Love!

Sincerely and cordially,

  
Harry Anerson



P.S. My wife, who has willy-nilly been involved in much of all this, has just looked over the above comments. She feels I have taken much too "soft" a position. She thinks I should ask the Department of Labor and State Department of Employment for at least the following:

(1) Letters to concerned officials of the University of California, apologizing for any embarrassment caused the University, and exonerating me from any wrongdoing.

(2) Follow-up letters to everyone among whom they have circularized my memo stating (a) that it was their error to have circularized the material in the first place, and (b) that all employees and administrators of the Department of Labor and Department of Employment will be expected to continue to extend the same cooperation and courtesy they have extended to me and my interviewers in the past.

(3) A full explanation to me of their shenanigans of the past three or four weeks.

Pam says that my continued employment with the University isn't as important to her as I had thought -- that it isn't as important, for example, as doing and saying what you think is right. She deplores my somewhat noodle-spined attempt to placate Stewart (Attachment B). Come to think of it, she may be right. It rather looks as though bureaucrats are akin to dictators in that efforts to appease them only serve to make them that much more demanding.

So, if you feel that something pretty stiffly worded to Stewart is in order, I'll abide by your judgment. I would, however, like to see it before it is sent...

It occurs to me that all this may well be too much for you to take care of right away. You may not have time to give it such attention for two or three weeks. Stewart isn't going to wait that long. May I suggest, therefore, that you drop him a brief note this week, to the effect that the matter is being studied, and that a full reply will be forthcoming later? Indeed, if you wish, I could show him and I could send him such a note myself.

*Still sincerely and cordially,*  
*Jack*